IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

THURSDAY, THE 30TH NOVEMBER 2006 / 9TH AGRAHAYANA 1928

WP(C).No. 31803 of 2006(J)

PETITIONER:

LEELA KUNJU KUNJU,
BALIAPADATH HOUSE, THAIKKATTUKARA P.O.,
ALUVA.

BY ADV. SRI.K.R.KURUP
SRI.C.R.SYAMKUMAR

RESPONDENT:

THE SECRETARY, REGIONAL TRANSPORT
AUTHORITY, IDUKKI.

BY GOVERNMENT PLEADER SRI.M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.BALAKRISHNAN NAIR, J.

W.P.(C).NO.31803 of 2006-J

Dated this the 30th day of November, 2006

JUDGMENT

The petitioner is a stage carriage operator, operating the vehicle KL-7/AX-5008 on the route Nedumkandom-Ernakulam. The time schedule of the said vehicle has been settled, as per Ext.P2 proceedings dated 1-9-2006. Now, the petitioner has been served with Ext.P3 notice dated 17-11-2006, proposing to hold a timing conference on 5-12-2006 for reopening Ext.P2 proceedings. Feeling aggrieved by Ext.P3, this writ petition is filed. The petitioner submits that the Secretary has no jurisdiction to review the order passed by him settling the time schedule of a vehicle. The said position is settled by several decisions of this Court, it is submitted. Therefore, Ext.P3 is issued, without jurisdiction.

2. Ext.P3 is only a notice. Therefore, it is unnecessary for this Court to interfere with it. But, the petitioner may place all his objections against Ext.P3, before the Secretary, R.T.A. In that event, I am sure that the respondent will consider her objections to the proposal to reopen Ext.P2 proceedings.

Subject to the above observation, the writ petition is closed.

K.BALAKRISHNAN NAIR,JUDGE.

MS